

Atty. Docket No.
182.0001



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

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#78, Pa.
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Applicant: BRANSTROM et al.

App Ser. No.: 09/512,810 ✓

Examiner: Yucel, I.

Filed: February 25, 2000 ✓

Group Art Unit 1636

For: BACTERIAL DELIVERY SYSTEM

ELECTION AND TRAVERSE

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

Now come Applicants in the above-identified application and respond to the May 15, 2001 Restriction Requirement and make the following election subject to traverse.

Applicants elect to prosecute the Group V invention (Claims 53 - 59) in this application. Applicants also note that the Group III invention, like that of Group V, includes claims copied from a single patent with the intent to provoke an interference.

In accordance with this election subject to the traverse, Applicants request that claims 7, 8, 10-13, 20, 21, 23, 24, 25, 27, 44, and subject to careful reconsideration of the above observation claims 34, 35, 37, 39, and 45-52 be canceled, without prejudice.

The undersigned advises the Examiner that upon information, it appears that there is no need to amend the inventorship of the pending claims under 37 C.F.R.

§1.48(b).